

**Senate File 217 - Introduced**

SENATE FILE 217  
BY BOLKCOM

**A BILL FOR**

1 An Act relating to lobbying activities by former executive  
2 branch employees, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68B.5A, subsections 5 and 6, Code 2021,  
2 are amended to read as follows:

3 5. a. The Except as provided for in paragraph "b", the head  
4 of a major subunit of a department or independent state agency  
5 whose position involves substantial exercise of administrative  
6 discretion or the expenditure of public funds, a full-time  
7 employee of an office of a statewide elected official whose  
8 position involves substantial exercise of administrative  
9 discretion or the expenditure of public funds, or a legislative  
10 employee whose position involves a substantial exercise of  
11 administrative discretion or the expenditure of public funds,  
12 shall not, within two years after termination of employment,  
13 become a lobbyist before the agency in which the person was  
14 employed or before state agencies or officials or employees  
15 with whom the person had substantial and regular contact as  
16 part of the person's former duties.

17 b. A person described in paragraph "a" who was an employee  
18 of the executive branch of state government shall not within  
19 two years after the termination of employment with the  
20 executive branch of state government become a lobbyist.

21 6. a. A Except as provided for in paragraph "b", a state  
22 or legislative employee who is not subject to the requirements  
23 of subsection 2 shall not, within two years after termination  
24 of employment, act as a lobbyist in relation to any particular  
25 case, proceeding, or application with respect to which the  
26 person was directly concerned and personally participated as  
27 part of the person's employment.

28 b. A person described in paragraph "a" who was an employee  
29 of the executive branch of state government shall not within  
30 two years after the termination of employment with the  
31 executive branch of state government become a lobbyist.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 Current law restricts the ability of former state officials

1 and employees from lobbying after termination of service or  
2 employment. With regard to state employees, the extent of  
3 the restriction depends upon the amount of discretion and  
4 authority the former employee held. The former executive or  
5 administrative head or deputy executive or administrative head  
6 of an agency of state government is prohibited from lobbying  
7 for two years after termination of employment. The former  
8 head of a major subunit of a department or independent state  
9 agency or a full-time employee of an office of a statewide  
10 elected official whose position involved substantial exercise  
11 of administrative discretion or the expenditure of public funds  
12 is prohibited from lobbying for two years before the agency  
13 in which the person was employed or before state agencies or  
14 officials or employees with whom the person had substantial and  
15 regular contact as part of the person's former duties. State  
16 employees with less discretion and authority are prohibited  
17 from lobbying for two years in relation to any particular case,  
18 proceeding, or application with respect to which the person was  
19 directly concerned and personally participated as part of the  
20 person's employment.

21 This bill provides that a former employee of the executive  
22 branch of state government is prohibited from lobbying for  
23 two years after termination of employment regardless of the  
24 amount of discretion or authority the former employee had. The  
25 prohibition does not apply to a person who, within two years  
26 of leaving employment with the state, is elected to, appointed  
27 to, or employed by another office of the state, an office of a  
28 political subdivision of the state, or the federal government  
29 and appears or communicates on behalf or as part of the duties  
30 of that office or employment.

31 Under Code section 68B.34, a person who knowingly and  
32 intentionally violates a provision of the bill is guilty of  
33 a serious misdemeanor and may be reprimanded, suspended, or  
34 dismissed from the person's position or otherwise sanctioned.  
35 A serious misdemeanor is punishable by confinement for no more

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1 than one year and a fine of at least \$430 but not more than  
2 \$2,560.